IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.31032 of 2008
PAPPU SAW @ PAPPU SAH … … Petitioner
Versus
THE STATE OF BIHAR … … Opp. Party
For the petitioner: Shri Ashok Kumar Jha
For the State: Shri Dashrath Mehta, APP
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3. 19.12.2008 Heard.

The case has been registered under Section 304(B) of the Indian Penal Code and reported true also by the police under that section. The petitioner is the husband and the allegation is that for not getting sufficient dowry, the petitioner ill-treated his wife so much so as to cause her to die or the petitioner and others killed her.

There is clear defence that the lady was a psychotic and was suffering from acute form of the disease, i.e, hypomania and was under the treatment of various Doctors as also the Doctor of N.M.C.H. The treatment chart of N.M.C.H. has been annexed at page 15 besides, there are a couple of prescriptions and other documents which also go to suggest that the lady was mentally ill and some serious ailment was indicated by the Doctor

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who treated her and some emergency medicines were also prescribed in case she was acting in a manner as could be worrisome for the family members. The contention is that in such fit of disease the lady left the house and became traceless.

Regard being had to the facts and the defence supported by some documents, let the petitioner Pappu Saw alias Pappu Sah be released on his furnishing a bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge, IVth, Patna, in Sessions Trial No. 795 of 2007 arising out of Khajekalan(Mehdiganj) P.S.Case No. 137 of 2006.

(Dharnidhar Jha,J.)

Kanth

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